TRUE RELATION

OF A

Horrid Murder

Committed upon the Person of

THOMAS KIDDERMINSTER

Of *Tupsley* in the County of *Hereford*, Gent.

At the *White-Horse* Inn in *Chelmsford* in the County of *Essex*, in the Month of *April*, 1654.

TOGETHER WITH

A True Account of the Strange and Providential Discovery of the same Nine Years after: For which *Moses Drayne*, an Hostler at the said Inn, was Executed at *Brentwood* in the same County, in the Year 1663, being Thirteen Years after the Commission of the said Murder. Which Arraignment, Conviction, and Attainder appears by the Records of the Circuit of that Year.

LICENSED, *May* 14. 1688.

LONDON,

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LICENSED, May 11, 1652.

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A True Relation of a Horrid Murder committed upon the Perſon of Thomas Kidderminſter *of* Tupſley *in the County of* Hereford *Gent. at the* White-Horſe *Inn in* Chelmsford *in the County of* Eſſex, *in the Month of* April, 1654. *&c.*

IT may not be amiſs, for the Reader's better and clearer underſtanding of this Relation, to premiſe ſome brief Account of the Birth and Fortune of the unhappy Subject of this following Paper; becauſe the Sequel of the whole Story depends upon it, and thereby he may alſo be able to diſcern the Finger of God in its Diſcovery.

This *Thomas Kidderminſter* was the only Son of *Walter Kidderminſter* of *Tupſley* in the County of *Hereford* Gent. by his firſt Wife. *Walter Kidderminſter* his Father was ſeiſed of an Eſtate in Lands, of about the yearly Value of One hundred Pounds, held by Copy of Court-Roll of the Mannors of *Barton* and *Tupſley*, from the Biſhop of *Hereford*. *Walter Kidderminſter* married a ſecond Wife, and in the Year 1620 died, leaving his Son *Thomas* then an Infant 1620.
of Eleven Years of Age, who was preſented by the Homage, and admitted in Court to be the only Heir to *Walter Kidderminſter* his Father, according to the Cuſtom of the ſaid Mannors. Some ſhort time after, the ſecond Wife married one *Thomas Baker*, a Man of a very mean and low Condition: She being in Poſſeſſion of her former Huſband's Eſtate at the time of his Death, did, together with *Thomas Baker* her ſecond Husband, continue the Poſſeſſion thereof, and took upon them the Guardianſhip of *Thomas Kidderminſter*, who lived with them ſome time in his Minority. It ſeems, according to the unhappy Condition of ſuch Infants falling into ſuch Hands, his Mother-in-Law, together with her Husband *Thomas Baker*, contrived how to diveſt him of his Eſtate; and accordingly ſhe pretended, That her Husband *Kidderminſter*, by his laſt Will and Teſtament, had deviſed one Moity of the ſaid Eſtate to her; tho' it is commonly preſumed

there was no ſuch Will at all; and if there was any ſuch Will produced, it is highly ſuſpected, upon ſeveral Circumſtances, that ſuch Will was forged: Beſides, if there had been really ſuch a Will, it had been abſolutely neceſſary, according to Cuſtom of the ſaid Mannors, that a Surrender ſhould have been made to the Uſe of ſuch an intended Will. *Frances* the ſecond Wife could have no Legal Pretence of Title to her Husband's Eſtate, or any part thereof, after his Death; for the Cuſtom of the ſaid Mannors is, That the firſt Wife after her Husband's Deceaſe is to have her *Free-bench*, which is, the Enjoyment of the whole Eſtate, *dum Caſta & Sola vixerit*, that is, whilſt ſhe lives Chaſt and Single; for by a ſecond Marriage her Intereſt determines. The Cuſtom of the ſaid Mannors is likewiſe, That the ſecond Wife of a Copy-holder is to have no *Free-Bench* at all, if the Copy-holder had Iſſue by his firſt Wife, who might inherit the Eſtate; which was exactly the Caſe of *Frances* the ſecond Wife; *Thomas* the Son of the firſt Wife excluding all her Pretences. However *Thomas*, being under the Tuition of his ſaid Mother-in-Law and the ſaid *Thomas Baker* her Husband, was perſuaded to believe, that it was his Fathers Will and Intention, that *Frances* his ſecond Wife ſhould enjoy one Moity of his Eſtate after his Deceaſe; and for that Reaſon he did permit his Mother-in-Law to enjoy it, under the Title of that ſuppoſed Will of his Father. *Thomas Baker* (having Iſſue by *Frances* a Son whoſe Name was *Thomas*) had a Deſign to get all the Eſtate to himſelf and his Poſterity; and in order thereunto, pretended a Sale and a Surrender of the ſaid Eſtate for a Valuable Conſideration, from the ſaid *Thomas Kidderminſter*, to him the ſaid *Thomas Baker* and his Heirs. This Sale is pretended to be in the Year 1632. 1632. So for ſeveral Reaſons it is to be ſtrongly preſumed, that there was no ſuch Sale at all; for *Thomas Baker* at that time was very well known to be very poor, and had not Credit for Five Pounds in all the County of *Hereford*: This Eſtate, which he pretended to have bought of *Thomas Kidderminſter*, being well worth 1600 *l.* to be ſold, they pretend a Surrender of it in the ſame Year; and it is demonſtrable by the Roll, that there was no Surrender of any Eſtate in that Year 1632; for it appears by the Roll, there were ſeveral Surrenders in the Year 1631; and it appears likewiſe immediately after, in the ſame entire Roll of one Piece of Parchment, that there were ſeveral Surrenders in the Year 1633, but none at all in the Year 1632; which if there had been, would appear in the ſame Roll immediately after the Surrenders in the preceding Year 1631.

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One Mrs. *Hooper*, Grandmother to the ſaid *Thomas Kidderminſter*, obſerving the Deſigns and Practices of *Thomas Baker*, and that her Grandchild was like to be deprived of his Inheritance, commences a Suit againſt the ſaid *Baker* as Guardian to her Grandchild; but ſhe dying depending the ſaid Suit, there was nothing effectually done.

Theſe were the early Misfortunes of this young Gentleman during his Minority; and very neceſſary to be taken notice of here, for the better Illuſtration of what follows.

This young Gentleman finding that *Thomas Baker* kept his Eſtate from him, and that he could have little or no Account of the Profits, did endeavour to improve his Fortunes another way; and in order thereunto came up to *London*, and was preferr'd by Mr. *Walwin*, his Grandmothers Brother, to the Service of Dr. *Wren*, at that time Clerk of the Cloſet to the King, and who was ſome time after created Biſhop of *Hereford*, and from thence in the Year 1635 was tranſlated to *Norwich*, and in 1638 to the Biſhoprick of *Ely*. *Thomas Kidderminſter* continuing in his Service all that time, the Biſhop obſerving his Induſtry and Fidelity, made him his Steward, and entruſted him with the Management of all his Eſtate. In the Year 1642 the Biſhop of *Ely* was impeached of High-Treaſon by the unparallell'd Houſe of Commons then ſitting, and upon that Impeachment was ſome ſhort time afterwards committed to the Tower, where he continued an extraordinary Example of Loyalty until the happy Reſtauration of His late Majeſty King *Charles* the Second, in the Year 1660. The Biſhop had many young Children, and his Family continued ſtill at *Ely*, upon an Eſtate which he had purchaſed there, which Children and Eſtate the Biſhop committed to the Care and Management of *Tho. Kidderminſter*, his Steward, who faithfully perform'd that Truſt until the Children were able to take care of themſelves. *Tho. Kidderminſter* being thus employ'd, could not have time to mind his Eſtate in *Herefordſhire*, which if he had, perhaps he did not think it ſafe and convenient, the Kingdom being then embroil'd in that infamous Rebellion, and the County of *Hereford* being moſt part of the time of the Civil Wars a Seat of a conſiderable part of the Hoſtility: *Hereford* being firſt a Garriſon for the King, under the Government of Sir *Henry Lingen* Knight, and beſieged by the *Scots* in *September* 1645, and ſurrendred to the Parliament on the Eighteenth of *December* the ſame Year. *Thomas Kidderminſter's* Eſtate being within Cannon-ſhot of the City, and in all probability under the Feet of the Enemy in the time of the Siege, he might have ſome Reaſon

1634. 1635. 1638. 1642.

Reaſon to think it not worth his while to look after an Eſtate under thoſe Circumſtances. However, in the Year 1645 he took a Journey to *Hereford*, where he had not been of ſeveral Years before, and found *Thomas Baker* in poſſeſſion of the Eſtate; and according to the exigency of the Times, *Thomas Baker* made a hard ſhift to pay him 6 *l.* This was the laſt time he ever was there, as you will find by the Sequel of the Story; from thence he returned to *Ely*. *Thomas Kidderminſter*, by his long Service in the Biſhops Family, had got a conſiderable Sum of Money, and obſerving the Biſhop's Children to be of Age to act for themſelves, he thought it Prudence to ſettle himſelf upon his own Bottom; and thereupon he Farm'd a or 300 *l. per Ann.* from Sir *Miles Sandys* of *Wilburton* in the Iſle of *Ely*, and others, and ſtock'd it with all things convenient. Beſides the Farm, Sir *Miles* employ'd him in the ordering of the reſt of his Eſtate, and intruſted him with all or moſt of his Concerns in the World, from whence did ariſe a mutual Confidence betwixt them: And Sir *Miles* being a Perſon much in Debt, (occaſioned by an Adventure with others in Draining the Fen-Lands in the ſaid Iſle of *Ely*) had frequent occaſion to take up Money upon Security: *Thomas Kidderminſter* became bound for him to ſeveral Perſons for ſundry Sums of Money. Sir *Miles* being thus involved in Debt, was clapp'd up Priſoner in the *Fleet*. When theſe things were tranſacted, Mr. *Kidderminſter*, by a Power derived from Sir *Miles Sandys*, did let Sir *Miles* his Houſe at *Wilburton* in the Iſle of *Ely* to one *Hammond* [illegible], reſerving for himſelf and Servants convenient Lodgings in the ſaid Houſe. At this time there was one Mrs. *Anne Holmes* in the Family, who waited on Mr. *Hammond*'s Lady, with whom Mr. *Kidderminſter* fell in Treaty of Marriage, and in *September* 53. married her: Sir *Miles Sandys* being at this time ſtill in the Fleet, and Mr. *Kidderminſter* being under ſome Apprehenſion of his Engagements for Sir *Miles*, went to *London*, with an intention to viſit Sir *Miles Sandys*: But when he arrived there, he found that Sir *Miles* died in the Fleet the Night before: He ſtaid in Town to ſee him buried, and immediately poſts back again to *Ely*, in order to diſpoſe of his Concerns there, for fear of Sir *Miles Sandy*'s Debts. In this Conjuncture of Affairs he took up a Reſolution to ſell and diſpoſe of all his Effects in *Ely*, and to ſettle himſelf and his Family ſomewhere elſe for his better ſecurity. At that time he was of Opinion, That after he could have diſpos'd of what he had in *Ely*, to go down to *Herefordſhire*, and live there upon his Eſtate; but for ſome Reaſons he imparted to his Wife, he after concluded,

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cluded, That it was his better Course likewise to sell that Estate, and settle himself in a Place more convenient for his purpose. In pursuance of this Design, he sends his Wife to *London* under pretence of seeing her Friends and Relations there, telling her that he would in a Week or ten Days time (God willing) come thither to her. After his Wife's departure for *London*, he sold what he could of his Stock at *Ely*, and got in what he could of his Debts that were due to him there, and brought along with him all his Writings, as well those that concerned his Estate in *Hereford*, as others. The Remainder of his Stock, which he could not sell there, he convey'd in some haste to *Cambridge*, where he entrusted particular Friends to dispose of it in his Absence, he having then in his possession between Five and Six hundred Pounds in Silver, and designing a Journey to *London* according to his Appointment with his Wife, he changed in *Cambridge* the greatest part of his Silver into Gold, for the greater convenience of Carriage; and considering with himself that it was dangerous for him to go the direct Way for *London* with so great a Charge of Money about him, he thought it his safest way to go the By-Road with a Guide to *Chelmsford* in the County of *Essex*, where the Guide was discharged, and he took up his Inn that Night at the *White-Horse* in that Town, where he had lain several times formerly, and where he was very well acquainted, and at which Place he was that Night murder'd, as will appear by the following Relation. This was in *April*, 1654. His Wife being then big with Child, was delivered of a Daughter in *August* following.

He not coming to *London* according to appointment: about three Weeks after Mr. *Bainbridge* the Parson of *Wilburton*, that married them, came up to Mrs. *Kidderminster*, and ask'd her for her Husband; who replied, I hoped you had brought me News of him; What's the Reason of it? I know not, says he; but he has made off all, and gone from thence: Which mightily surpris'd her, insomuch that it threw her into a Fit of Sickness, which had almost cost her her Life: But desirous to know the Reason of it, she desir'd Mr. *Maidston*, a Gentleman that had Business there, and was going thither, to send her a particular Account, who confirm'd the Parson's Relation. The last Place she heard of him was *Cambridge*. Then a Report was spread that he was gone to *Amsterdam*, where she sends to enquire for him, but was assured he was not there. After some time she heard he was in *Cork* in *Ireland*, and thither she sent, and made a most diligent and exact Search for him, both in *Cork* and *Munster*, by

Mr. Bainbridge, *Parson* Wilburton.

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the Interest of a Parson there; but heard nothing of him. Then again there was a Report that he was in *Barbadoes*, and the same Clergy-man sent to a Minister in *Barbadoes* to make enquiry after him, but could hear nothing of him there. Then she heard he was in *Jamaica*, (for then *Oliver* the Usurper having a Design upon the *Spaniards*, had sent out a Fleet under the Command of *Penn* and *Venables*, who missing of their chief Design, took *Jamaica* by the by, of which Place Sir *John Reynolds* was made Governour) and M. *Kidderminster* having been in the King's Army, and formerly condemn'd for his Loyalty, it was generally suppos'd he was in the Fleet, because a great part of the Loyallists were sent thither. Mrs. *Kidderminster* in the mean time (in *August*, 1654.) being brought to Bed of a Daughter, and exposed to get a Livelihood, was accordingly entertain'd as a Wet-Nurse in Sir *Christopher Guy*'s Family in *Gloucestershire*, and there suckled Sir *John Guy*, at which time she received a Letter from a Friend, whereby she was inform'd, That her Husband Mr. *Kidderminster* died in *Jamaica*, and had left Sir *John Reynolds* N. B. Executor for her and her young Daughter: And by the same Letter she understood that Sir *John Reynolds* was come to *London*. So accordingly she comes to *London*, to enquire of him; where she hears he was drowned coming over Seas for *England*, from the Coast of *Dunkirk*: But she meeting in *London* with one that did belong to him, he assured her that there neither was, nor had been any such Person in *Jamaica*; for he had enquired of Mr. *Hodges*, who kept a Register of all the Passengers to and from *Jamaica*; and she her self had search'd the Register two or three times.

From Sir *Christopher Guy*'s she went to *Tupsley* in the Parish of *Hampton-Bishop*, near *Hereford*, where she had been inform'd by her Husband that he had an Estate; and Mr. *John King*, Sir *Christopher*'s Steward, went along with her to the House where her Husband was born, then in the Possession of *Thomas Baker*, who was married to Mr. *Kidderminster*'s Step-Mother. She ask'd Mr. *Baker* whether Mr. *Kidderminster* had been there lately; for her Husband had been missing a long while, and she thought to hear of him there: However, she demanded the Arrears of Rent, and expected they would pay her, if her Husband were dead: But they, as is believed, had heard of her Husband's being missing, and therefore pretended they had purchas'd the Estate, and so ought to pay her nothing: But 56. Mrs. *Kidderminster* was informed by the Neighbours, that there was no such thing; and was advised by them to look after it, for it was

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really her Right by the Custom, as her *Free-Bench*, if her Husband was dead.

She left Sir *Christopher Guy's* Family about a Year and a Quarter after, and came to *London* to live with her Sister; and constantly enquiring after her Husband, her Sister one day, in 62, or 63, reading the then News-Pamphlet, suddenly crys out, *Sister! here a News of your Husband*: Upon which she read the News, in these Words, or to this Effect, *viz. That the Bones of an Unknown Person, suppos'd to be Robb'd and Murder'd, were found Buried in a Back-yard in* Chelmsford: *Whosoever can give notice of any Person missing about that time, let them give notice to Mr.* Talcott *Coroner, in* Feering, *or to the Constable of* Chelmsford, *or to Mr.* Roper *Bookseller, over against St.* Dunstan's *Church in* Fleet-street. And upon comparing the Time of her Husbands being missing, with the Time in the News-Paper, of the suppos'd Murder'd Body's lying conceal'd, it appear'd to be extremely probable: Upon which she immediately, as directed in the News-paper, went to *Mr. Roper's*, and he advis'd her to go to Sir *Orlando Bridgeman*, then Lord Chief Justice of the Common Plea, who had been the *Home Circuit*: She went to my Lord's Secretary, Mr. *Edwards*, and acquainted him with her Business, who took a Note of her Name and the Place of her Abode, and promis'd to acquaint my Lord of her being there upon such an occasion, which he did accordingly; but by some misfortune could not find the Note, and so could not send for Mrs. *Kidderminster*. Here the matter rested for some time; Mrs. *Kidderminster* however continued her Enquiries; and imparting the Particulars of the Discovery at *Chelmsford* to several of her Acquaintance, they all persuaded her to desist, alledging the Incertainty, the Trouble, and the Expence of such a Prosecution, especially considering how destitute she was both of Friends and Money at that time: Being so persuaded, she did desist. Some short time afterwards her Husband appeared to her several times, both by day-light and in the night, in the Habit he usually wore, looking very sternly upon her; but one Night as she lay in her Bed, her Husband appear'd to her in a White Sheet, with Streaks of Blood upon it; whereupon she was resolved (being much disturbed in her Mind) to go to *Chelmsford*, in order to make the utmost Discovery she could. In pursuance to this Resolution, she went to one Mr. *Jeremy Maidstone*, and desired him to go along with her; and they both agreed to go down afoot, and so went on their Journey as far as *Stratford*, where a little beyond the Town they lost their Way, turning to the

Left Hand of the Road, that they were four Miles out of the Way: At last they came to *Rumford*, and by that time they were very weary, and went into a House at the further end of the Town, at the Sign of the *Black Bull*, being the House of one *Kendal*, where they accidentally found one *Mary Mattocks*, a Sawyers Wife, who lived at *Hare-Church*, two Miles from *Rumford*, and was come to Town for a piece of Chalk which she had forgot the day before, and for want of which her Husband could not work. Mrs. *Kidderminster* being now very weary, and not able to go afoot any further, enquired of the People of the House whether any Horse could be hired in that Town; Mrs. *Mattocks* being present, interpos'd, and answered, That there was no Horse to be hired, nor any Conveniency of Coach or Waggon to be had upon that day. They asked Mrs. *Mattocks* how far it was to *Chelmsford*, She answered, fifteen Miles. Mrs. *Kidderminster* asked her again, Whether she knew *Chelmsford*? She replied, That she did very well, for she was born and bred there. *Qu.* If she knew the *White-Horse*? *Answ.* Very well, and that one *Turner*, a very honest Man, kept it; but that he that kept it formerly was one *Sewell*, who if he had had his Desert had been hanged long ago; for there was certainly a Gentleman Murder'd in the House. Thereupon she was moved to make a further Enquiry, and told *Mattocks*, That her Husband was lost much about that time; who inform'd her, That the Hostler who liv'd in *Sewell's* time at the *White-Horse*, did then live at *Rumford*. She having a mind to speak with the Hostler, (not at all suspecting him to be one of the Murderers, but only with an intention to gather from him what Circumstances she could) sent for him; but he refused to come. The Messenger who was employed upon this Errand having heard part of the Discourse, as it seems, imparted it to him, which made him unwilling to come. Then Mrs. *Mattocks* advised Mrs. *Kidderminster* to go to one Goody *Shute*, her Aunt, at the Sign of the *Cock* on the higher side of the Bridge, and that she could give her such Intelligence as would answer her Expectation. Upon this Mrs. *Kidderminster* and her Friend departed on their Journey towards *Chelmsford*. Mrs. *Mattocks*, after their departure, told the People of the House, That *a guilty Conscience needs no Accuser*; and that she had heard he (meaning the Hostler) had a Hand in the Business, and had got Dead's Suit of Clothes. Being come to *Chelmsford*, they found that Mrs. *Shute* was dead of the Plague a Fortnight before, so they went directly to the *White-Horse* Inn, where after some Discourse with Mr. *Turner*

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then Master of the House, he advised them to go the back-way out of his House, and to make as if they were just come to Town, and to go to Mrs. *Sewell*'s House at the *Shears* in *Colchester-lane*, at which Place she then lived; where being come, and sitting in a Room by themselves, Mr. *Maidston* went out to Mrs. *Sewell*, and enquiring for the *White-Horse* Inn, Mrs. *Sewell* ask'd what Business he had there? To which Mr. *Maidston* made answer, That he was come to enquire about a Gentleman that had been murder'd there some Years ago. To which Mrs. *Sewell* replied, *Ay, this is Mr. Turner's doings, who hath put us to a great deal of trouble about it already; but I will be reveng'd on him*; and so fell out into passionate Discourses: But upon Mr. *Maidston*'s calling in Mrs. *Kidderminster* she immediately was silent, not speaking one Word to them afterwards: So they paid, and went their ways to the *White-Horse* again, where Mr. *Turner* gave this Account concerning the finding and digging up of the Corps, *viz.*

"That he, Mr. *Turner*, had Pales between his Neighbours Meadow and his Orchard, which he never could keep long standing; "for if he mended them one day, they would be some of them down "the next: At last there hapned a great Wind, which blew them "down all together; so he resolved to make a Mud-wall, and his "Neighbour gave him leave to dig the Ditch on his Side in the Meadow; and his Men having made an end of casting up the Mud-wall about Four of the Clock in the Afternoon, being *Whitsun Eve*, "were sitting down washing their Feet; when Mr. *Turner* came to "them, who said, *It is yet a Winters Day till Night, therefore you must abate me Two pence a Man, or else go to work again*; which "they were willing to. Then he bid them make up as much of the "Neighbour's Fence which lay open turning on the Corner, till they "should have made up their full Days Work. They had not digg'd "above half a Yard on, ere they digg'd into a Quagmire where the "Corps had been buried, and the first thing they hit against was the "Scull: *Master*, saith one, *see here's a Brown Bowl*. *Turner* bid "them not break it, but take it up carefully; for it might serve for "some use or other: so they took it up, and found it a Scull, with "all the Teeth in it but one, and a Hole on the left side of the said "Scull, about the bigness of a Crown. The Rumour of this spreading abroad, caus'd several of the Country-people to come to see it, "who had formerly observ'd a new Turf to be often laid upon the "Place, but could not guess the meaning of it. Now upon digging

"on, they perceiv'd by the Position of the Corps, that it had been
"cramm'd in double. *Turner* took the Scull and threw it over into
"his Orchard, where the Grass was high and ready to mow; and the
"Scull was observ'd to run up hill, through the thick Grass, for a
"dozen Yards, towards the House, till it stopp'd against a fallen Tree;
"and he followed it, thinking there might be something alive in it
"that caused its Motion; but groping for it under the Tree, he
"found it, and nothing in it but Dirt and Gravel. He told us farther,
"That it was observed by some of the Town, that formerly there
"had been a Pied Horse kept above half a Year in a Back Stable,
"without being led out to Water, as is usual; after that, they turn'd
"him out, and he was taken up as a Stray for the Lord of the Man-
"nor, they making no further Enquiry after him; which gave oc-
"casion to the Towns-people to suspect that there had been some-
"body murder'd there: But the Horse getting loose, and coming
"again to the Stable-door, Mrs. *Sewell* own'd him, saying, It was
"her Horse, and that she had bought him of a Kinsman. But not-
"withstanding all the care they took to feed him well, he grew
"leaner and leaner, till he died.

That Night Mrs. *Kidderminster* came to the *White-Horse*, she lay in a Room which was contiguous to that wherein her Husband had been murder'd, and the Beds-head in the Room where Mrs. *Kidderminster* lay, was answerable to the Beds-head in the other Room where Mr. *Kidderminster* was kill'd. Mrs. *Kidderminster* being afraid to lie alone, desired that the Maid might lie with her. It was somewhat late before the Maid came to Bed, where shortly after she fell fast asleep: Mrs. *Kidderminster* being awake, heard a great Noise in the next Room, which went out into the Gallery, where something seem'd to fall with that violence, that she thought the Room shook, and afterwards came to her Chamber-door, and lifted up the Latch. Whereupon Mrs. *Kidderminster* being much affrighted, with great difficulty awaked the Maid, who spake to her, and immediately the Noise ceased. Mrs. *Kidderminster* told Mr. *Turner* of this Adventure, who made answer, That such things had been often heard before.

After the Discovery made, the Coroner sate upon the Bones, and the Jury found it a Murder, and that a Blow upon the side of the Head was the Cause of the Persons Death, the Impression whereof was plainly visible upon the Scull. Mr. *Turner* was much prejudic'd by this Discovery; for no Passenger or Traveller would come near his House, it being reported abroad, That the People of that Inn

Inn did use to murder Travellers, and bury them in the Dunghill.

At this time *Sewell*, who kept the Inn formerly, and his Wife, and his two Daughters, were alive, and the Hostler and a Maid-servant who lived in their Family.

Mr. *Turner*, to vindicate the Reputation of the House, and to clear himself and his Family from any suspicion which they might otherwise be liable to, had some time before applied himself to some of the Justices of the Peace of the County, who issued out their Warrant against *Sewell* and his Wife, who were both convened before the Justices, where, upon their Examination, they denied all; but however the Justices of the Peace thought fit to bind them to appear at the next Assizes, and also Mr. *Turner* was bound to prosecute. *Sewell* died about a Fortnight before the Assizes, but suspected to be poyson'd by his Wife; for this *Sewell* shewed very visible Signs of a troubled Spirit ever since the Bones had been found, and walk'd about like a Man who had been crazed in his Understanding. One day he was met by a Man who had been his Fellow-Trooper in the Parliament-Army, who asked him, *Brother, how do you do?* He answer'd him, *He was very ill:* Then he told him, *That there was a Report that a Gentleman was murder'd in his House.* Whereupon *Sewell* shook his Head, and said, *The Blood of that Man will be required at my Hands.* Then his Friend bid him not to discover any more to him, lest he should be forc'd to come in as an Evidence against him. Shortly after he fell so very ill, that he was forc'd to keep his Bed, and was thrice thought to have been dead, but came to Life again. He often desired his Wife that he might speak with some of the Chief Men of the Town, for otherwise he could not die; which his Wife would not admit of: So at length he died, having his Tongue swollen in his Mouth, and seem'd to be choak'd in his own Blood. This was a Fortnight before the Assizes.

At the Assizes Mrs. *Sewell* appear'd, and nothing being positively prov'd against her, she was continued under Bail till the next Assizes: At which time the Lord Chief Justice Sir *Orlando Bridgman* went that Circuit, and finding no body could give a clear Account of the Person murder'd, nor that They were the Murderers, he orders an Account of it to be put into the Publick Diurnal at *Lent*-Assizes 6[illegible], by which means Mrs. *Kidderminster* had the first intimation of it.

Mrs. *Kidderminster* returning from *Chelmsford*, made enquiry at *Rumford* for the Hostler *Moses Drayne*, who was shew'd to her standing at a Glovers Shop in the Street [illegible] discourse with

him at the *One Bell*, where he [illegible] down in the Chimney corner. She asked him, What kind of Man that was that left his Horse behind him when he was Hostler at the *White-Horse* in *Chelmsford*? what Clothes he wore? for she had some suspicion it might be her Husband. He answer'd, That *the Gentleman was a tall, big, portly Man, with his own Hair, dark brown, not very long, curl'd up at the ends; that he wore a Black Sattin Cap, and that his Clothes were of a dark Grey*: All which she found agreed with her Husband's. Then she ask'd him, What Hat he wore? He replied, *A Black one. Nay*, saith she, *my Husband's was a Grey one*: At which Words he chang'd Colour several times, and never look'd up in her Face afterwards, but told her, That one *Mary Kendall*, that liv'd at *Kilden* near *Feering*, who had been a Servant at *Chelmsford* at the time of the Gentleman's being there, could inform her much better. So she left him; but before she left the Town, she went again to the *Black Bull*, and spoke to the Master of the House, who advised her to speak again with Mrs. *Mary Mattocks*, for she would be her best Evidence. Accordingly my Lord Chief Justice *Bridgman* was acquainted with what Mrs. *Mattocks* could evidence; and he advis'd her to return again to *Rumford*, and get Mrs. *Mattocks* to make Oath of it before a Justice of Peace, which she did before Justice *Mildmay*. She being sworn, Justice *Mildmay* issues out a Warrant for the Apprehension of *Moses Drayne* the Hostler, who was immediately sent to Gaol. After which Mrs. *Kidderminster* was to go into the Isle of *Ely*, to seek for Witnesses who knew her Husband, and his Habit and Horse; where she found his Man, who came afterwards to the Assizes to prove the Clothes and the Horse. Mrs. *Kidderminster* went from the Isle of *Ely* to the Coroner's House in *Essex*, within Twelve miles of *Chelmsford*; whence she went to find out *Mary Kendall*, who liv'd about a mile from the Coroner's House. *Mary Kendall* seem'd [illegible] mightily surpriz'd at Mrs. *Kidderminster*'s coming, and could not be prevailed with to make any Discovery: Before Mrs. *Kidderminster* went to the Isle of *Ely*, she had been examined by the Coroner's means, before three Justices of the Peace, Sir *Thomas Abdy*, Sir *Capel Lucking*, and Sir *William Ayloffe*, who could not persuade her to confess any thing. Mrs. *Kidderminster*, together with the Coroner, went the second time to the Place where she lived, and sent for her to a Tavern in the same Town; but by all the means which they could use, she would confess no more than that she waited on Mr. *Kidderminster* in his Chamber; and shortly after she and one of her Bail (for she

was

was bound over by the said Justices) fled, and lived together like Man and Wife. She and her Bail having thus absconded themselves, there was no News of them for some time, until by accident the Coroner was riding by her Brothers House in *Kilden*, and spied a Carrier delivering a Letter to her Brother, and so went on his way; the Coroner followed him, and ask'd him whether he knew where *Mary Kendall* lived? The Carrier answered, That he had just before delivered a Letter from her to her Brother; but he could not tell where she was at that time; That he came from *Mile-end Green*, and promis'd in his next Return to acquaint him; which accordingly he did, That she lay at the *Walnut-Tree* in *Mile-end Green*; which the Coroner signified by a Letter to Mrs. *Kidderminster*, then at *London*; who upon receit of the Letter repaired to Justice *Manley* at *Ratcliff*, who granted his Warrant to apprehend her, and to bring her before him; which was put in execution, and Justice *Manley* committed her to *Newgate*. This was done on *Wednesday*, and the Assizes was to be held at *Brentwood* the *Satturday* following. During her being in *Newgate*, she was told by the Prisoners there, That her Running away was an Argument of her Guilt, and that therefore she would be certainly hang'd; upon which she presently confess'd all to Mrs. *Kidderminster*, and told her she would not have continued so long in an obstinate denial, but that *Sewell's* Daughters had threatned her, That if she confess'd, they would swear against her, and have her hang'd first.

Sewell's Wife died of the Plague some time before this, and was buried in her Orchard, and so could not be brought to Justice, in regard no Evidence could be brought in time against her.

Mrs. *Kidderminster* with much difficulty, and not without the special Assistance of my Lord Chief Justice *Bridgman*, procured the said *Mary Kendal* to be removed from *Newgate* to *Brentwood*, upon *Friday* the day before the Assizes. One thing is further remarkable in relation to *Moses Drayne*, That he being out upon Bail after his Commitment by Justice *Mildmay*, and at liberty in the Town of *Rumford*, the *Friday* before the Assizes Mrs. *Kidderminster* passing through the Town in a Coach, some of the Townsmen acquainted *Drayne*, That the Woman whose Husband was murder'd, was just then gone through the Town: upon which, in stead of providing for his own Safety by Flight, he, by a strange Infatuation, fell to removing of his Goods. Justice *Mildmay*, remembring a Letter sent to him by the Lord Chief Justice *Bridgman* some time before, to take him into

strict

[illegible] Custody, which he had [illegible] then to the Alms-[illegible]
[illegible] and [illegible] committed to the County Gaol, [illegible]
[illegible] Assizes, [illegible] he expir'd himself
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

" *go and make clean the Chamber. No*, said the Mistriss, *my Daughters and I have set that to rights already; do you what you are about, and then go to your Flax-wheel* (the Maid being us'd to spin Flax when she had nothing else to do). The Chamber-door was kept lock'd for eight or nine Weeks afterwards, and no Person admitted to go into it but themselves. One time she ask'd her Mistriss why that Room was lock'd, and not kept clean for Guests, as usually: The Mistriss answered, They had no Guests fit for that Room, for it was kept for Gentlemen. Some time afterwards, on a *Sunday*, her Master gave her his Key to fetch his Cloak out of his Chest in his Chamber; there she saw the Gentleman's Suit of Clothes, and his Cloak-bag, which she saw him deliver to them. About nine Weeks afterwards her Mistriss sends her up into the Room where the Gentleman had been murder'd, to fetch something, it being the first time she had been in that Room since it had been lock'd: She search'd over the Room, and look'd upon the Testes of the Bed, and there she saw the Gentleman's Hat, his Hanger, Boots, and the Sattin Cap which she took off the Gentlemans Head, and hang'd upon his Hat, and laid it on the Table, when she made a Cap of the Napkin and put it on the Gentleman's Head. She took the Gentleman's Hat, his Hanger, Boots, and Cap, and carried them down to her Mistriss. When she came down, there was her Mistriss and the Hostler: She ask'd her Mistriss, *You said the Gentleman was gone to* London *in a Coach, Did he go without Clothes, or did you lend him some? For I saw his Clothes in my Masters Chest, and these things are his too.* Said the Hostler, *You lie like a Whore, those things are mine.* The Maid answered, *You are a Rogue; I am sure they were the Gentlemans, I know not whose they are now.* Her Mistriss hearing the Maid and the Hostler quarrelling, she fell upon the Maid, and there arose some hot Words betwixt them, that her Mistriss broke her Head in three several places, so that the Blood did run about her Ears: The Maid talk'd the louder, and ask'd her whether she intended to murder her, as she did the Gentleman? Then her Master, hearing this Disturbance, came to them, and persuaded her to hold her Tongue and be quiet. She further deposed, "That the Hostler had from his Master 60 *l.* " of the Gentleman's Money, for that some short time after the Mur- " der he lent the 60 *l.* to a Woman that kept the *Greyhound* Inn in " the same Town; and that that must be the Money, for the Host- " ler was worth nothing of his own at the time of the Murder; and

" that the Hoſtler had the Gentleman's Clothes, which ſhe had ſeen " in her Maſters Cheſt; and that the Hoſtler ſent them to one *Clarke* " a Dyer in *Mouſom*, to have them Dyed into a Liver-colour; the " Dyer ask'd him why he would have the Colour alter'd, ſince they " were of a better Colour before? The Hoſtler anſwered, That he " would have them Dyed, becauſe he did not like the Colour; and " that about a Twelvemonth after he Dyed the Grey Hat Black. Then ſhe depoſed further, " That her Maſter raiſed himſelf to a good " Condition upon a ſudden; for before he was ſo poor, that his Land- " lady would not truſt him for a Quarters Rent, but would make him " pay every ſix Weeks; and that he could not be truſted with Malt, but " was forced to pay for one Barrel under another: That ſhortly after " they bought a ruin'd Malt-houſe, and new built it, and did uſually " lay out 40 *l.* in a day to buy Barley: There was ſeen upon a ſud- " den a great Change in the Daughters Condition, both as to their " Clothes and otherwiſe; and that if they bought but a Hood for " one of the Daughters, there was a Piece of Gold changed; and " they were obſerv'd to have Gold in great plenty.

Mary Mattocks *Evidence.*

Mary Mattocks depoſes, " She ſaw the Hoſtler carry a Grey Hat " to the Hatters; which being left there, after the Hoſtler was " away, ſhe went thither and view'd it, and begg'd the Head-Lin- " ning, which ſhe prov'd to be of a Rainbow-colour: As alſo, That " Goodwife *Shute* and ſhe the ſaid *Mary Mattocks* being drying their " Clothes in the Church-yard, *Mary Kendall* came there alſo to dry " her Basket of Clothes; and ſhe complains to Goodwife *Shute*, ſay- " ing, *My Miſtriſs* Sewell *has beaten me cruelly to day, and broke my* " *Head in three places, and almoſt kill'd me; but I have told her* " *pretty well of her Roguery. What Roguery*, ſaith Goodwife *Shute*? " *It is*, ſaith ſhe, *concerning the Gentleman they murder'd there. Mur-* " *der'd there!* ſaith *Shute*; *Doſt thou know of any Murder done* " *there?* (And her Kinſwoman *Mattocks* being going away, ſhe " withheld her by the Apron, that ſhe might ſtay to hear what ſhe " would ſay.) *No, Goody* Shute, ſays ſhe, *I don't know it*; *but there* " *is a great ſuſpicion of it.* So ſhe fell a telling them the Story, " That in the heat of the Quarrel her Maſter pull'd her out of the " Room, and cried, Mary, *will you leave your prating and be quiet?* " *Can't you be quiet, but you muſt talk at this rate? Your Miſtriſs* " *is a perverſe Woman, and I'll give you* 20 l. *and you ſhall be gone,* " *and live no longer with her*; ſo he fetch'd 20 *l.* preſently, and gave " it her; *And*, ſaith ſhe, *Goody* Shute, *I have the* 20 l. *and I do in-*

" *tend*

" *tend to be gone.* Saith Goody *Shute*, Mary, Mary, *take heed what* " *you do: I would give them the* 20 *l. again, and go and acquaint* " *some Juſtices of the Peace with it; for the* 20 l. *may hang thee* 20 " *Years hence.* So they parted. By the next Morning all was huſht " up at home, and *Mary Kendall* came to Goodwife *Shute*, and begg'd " of her to ſay nothing of their yeſterdays Diſcourſe, for what ſhe " had then ſaid proceeded from Paſſion, or elſe ſhe had never ſaid it. " Says *Shute*, *If I do not hear it queſtioned, I ſhall ſay nothing of it;* " *but if at any time it comes in queſtion, I will both ſay it, and make* " *you ſay it too.* But *Mary Kendall* being examined to this Matter at the Trial, denied the receiving of the 20 *l.*

Mr. *Turner* gave in Evidence what you have read before, concerning the finding of the murder'd Body; and according to the Judges Order, he brought the Scull into Court, where, by their Direction, *Moſes Drayne* the Priſoner was bid to take it up; but he trembled ſo much, that he could hardly hold it in his Hand. *Mr. Turner's Evidence.*

Memorand. There was a Boy that ſerv'd in *Sewell's* Houſe at the time of the Murder, and *Sewell* falling angry with him, carried him up Stairs, and tied him to a Bed-poſt, where he whipp'd him with a Cart-whip unmercifully, that he cried ſo vehemently, that the Maid, *Mary Kendall*, came up and got him at Liberty; when ſhe heard him ſay, *That it was well for him ſhe came, or elſe his Maſter would have murder'd him, as he did the Gentleman, when he blooded him into the Hogs-pail.* And the Boy ſaid likewiſe, *He had heard that the Gentleman was knock'd on the ſide of the Head with a Pole-ax, and afterwards his Throat was cut by his Miſtriſs, with the help of her Daughter* Betty. Theſe Circumſtances were proved at the Trial by ſeveral Perſons; and it ſeems the Rumor had been ſpread in the Town by means of this Boy. In ſome ſhort time after this Boy was ſent to *Barbadoes*, and ſold to a Merchant that lived near *Billingſgate*, at whoſe Houſe Mrs. *Kidderminſter* was to enquire for him. This matter relating to the Boy's ſending away, was diſcover'd by the honeſt Diligence of Mr. *Talcot* the Coroner, who directed Mrs. *Kidderminſter* to trace this matter, and who hath the Notes relating to it.

There were two Women, one of them a Waſherwoman of that Town, and the other a Quaker that liv'd next Houſe to Mr. *Sewell*, who both gave Evidence at the Trial. The Waſherwoman was going by the Houſe very early, between One and Two in the morning, to waſh in the Town; and the Quaker was ſitting up for her Husband, who was not then come home. They both of them made

Oath, "That about those Hours they heard a Noise in Mr. *Sewell's* "House, and a Mans Voice crying, *What, will you rob me of my* "*Money, and murder me too? If you take my Money, spare my Life.* "Then they heard something that fell very heavy, and a Noise as it "were of Chairs and Stools thrown about the Room, and all the "Lights put out, and after that no further Noise heard. The next "morning these Women enquired at the House, what might be the "Occasion of the Noise the night before; for they thought they "heard somebody cry out *Murder*: But they were answered, They "must needs be mistaken; for there was no Noise there, nor was "there any body in the House but their own Family.

William Denton, *Mr.* Kidderminsters *man's Evidence.*

William Denton, Mr. *Kidderminster's* Servant in the Isle of *Ely*, was produc'd as an Evidence to prove the Horse, and the Gentleman's Clothes and Hat, which he did.

There was a Washerwoman who wash'd the next Wash after the Gentleman was murder'd, who being examined by a Justice of the Peace, and ask'd whether she found in that Wash any Linen more Bloody than ordinary; she utterly denied that she did, with this Imprecation, *That if there was any such, she wish'd she might rot alive*: And so it hapned; for a little time after her Bowels began to rot away, and she became detestably loathsom till she died.

Mr. *Turner* and his Wife related to Mrs. *Kidderminster*, That some time after the Murder of her Husband, there came a Farmer to lodge at *Sewell's* Inn, who receiv'd 20 *l.* in the Town for Barley, which *Sewell* had heard of: And in the Night-time *Sewell* came to this Farmers Chamber-door, attempting to get in; but the Farmer had very carefully set a Table and Chairs and Stools to blockade the Entrance: The Noise they made awak'd him, whereupon he swore, That the first Man that broke in upon him should meet his Death: Upon which he heard *Sewell's* Voice, which he knew very well, speaking to somebody that was with him; so they went down Stairs without attempting any further, and the Farmer got up, put on his Clothes, and the next morning by break of day took his Horse and rode away, without taking his leave.

The Hostler's Condition.

Upon the aforesaid Evidence the Jury found *Moses Drayne* the Hostler Guilty; and being after Sentence remanded to Prison, with Five other condemned Persons, as also *Mary Kendall*, whom the Judges had remanded to Prison during Pleasure: Being all together, one of them, who was condemn'd for having two Husbands, spake thus to *Moses Drayne*; *You see we are all here condemn'd to die; you will*

will do well to confeſs the whole Truth: Had thou Mary Kendall *a Hand in the Murder of the Gentleman, or not? Speak the Truth, for we are all to die ſoon.* He made anſwer, *No, ſhe had no Hand in the Murder, but what ſhe had ſworn was Truth; but the Gentleman was murder'd there, and that by his Maſter and Miſtriſs, and their eldeſt Daughter,* Betty; *but for his part, he knew of it, 'tis true, and was there, but did not ſtrike the Blow, nor help to kill him; but he help'd to bury him, and had* 60 l. *of his Money, and all his Clothes, given him by his Maſter and Miſtriſs.* He was going on to make a ſincere Confeſſion how all things were, and his Wife coming in in the mean time, took hold of him, and bad him hold his Tongue and confeſs no more; for if he died for it, he ſhould hang no body elſe: And ever after he would ſay nothing, nor make any Anſwer, neither to the Miniſter nor any body elſe, nor ſaid a Word at the Gallows.

Moſes Drayne having confeſs'd that *Betty* the eldeſt Daughter had a Hand in the Murder; and *Mary Kendall* having ſworn at the Trial, That the two Siſters were not in Bed that Night the Murder was committed, moved Mr. *Talcot* the Coroner to procure a Warrant from a Juſtice of the Peace to apprehend the two Siſters: Which being done, and they brought before the Juſtice, he bound them to appear at the next Aſſizes to be held for the County of *Eſſex*, which was the next Aſſizes after *Moſes Drayne* was convicted. When the Aſſizes came, both the Daughters appeared, and a Bill of Indictment was preferred againſt them to the Grand Jury, againſt whom *Mary Kendall* gave the ſame Evidence that ſhe had done before at the Trial of *Moſes Drayne*, and alſo what *Moſes* had confeſſed in the Priſon. The Grand Jury thinking the Evidence not to be ſufficient to find the Bill, they return'd an *Ignoramus*, and ſo the two Siſters were diſcharged by Proclamation.

You ſee by the foregoing Relation, how the Widow was left big with Child at the time when her Husband was murder'd, deſtitute of Friends and Money; which expos'd her afterwards to great Hardſhips: You ſee what Pains, Trouble, and Expence ſhe underwent in enquiry after her Husband, in tracing out the Murderers, and in the Proſecution of them, having little or no Aſſiſtance or Advice but the Divine Providence, which aſſiſted and directed her in the whole Series of this Affair. I have told you formerly how her Husband was

entitled

entitled to an Eſtate in *Herefordſhire:* When ſhe was ſatisfied that her Husband was certainly dead, ſhe married, by which Marriage ſhe loſt her *Free-bench* by the Cuſtom of the Mannor, and therefore did (in the behalf of her Daughter) lay claim to the Eſtate. I inſtance the foregoing Particulars, to let the World ſee what a Train of Vexations this Gentlewoman met with in the Diſcovery and Proſecution of the Murder of her Husband, and in endeavouring to vindicate the Right of her Daughter, which aggravated the loſs of her Husband, and together with him ſo conſiderable a Fortune, which otherwiſe might have been a competent Support for her and her Daughter.

Having ſo great an Aſſurance of her Husbands Right to the ſaid Eſtate, and by his Death the ſame Right veſted in her Daughter; ſhe thought her ſelf obliged in Conſcience to uſe her utmoſt Endeavour in both. When ſhe took this Task in hand, ſhe found that *Thomas Baker* having ſurvived his Wife *Frances*, died in the Year 1662; and that *Thomas* his Son was the ſame Year admitted Tenant to the whole Eſtate, as Heir to his Father. Now when the Widow, or any Perſon, made any Claim to, or made an Entry into the ſaid Eſtate, in the behalf of the Daughter, as Heir at Law to her Father, *Thomas Baker* the Younger (believing that the length of Time, together with the Concurrence of many Accidents which had hapned in the Revolution of ſo many Years, had quite extinguiſh'd all the Light that the Heir could hope for to make out her Title; and in caſe a clear Proof could be made out of the Title, ſo long a Poſſeſſion would bar all Pretences, by vertue of the Statute of *Limitation*) confiding in theſe Reaſons, made an obſtinate Defence; ſo that between the Years 70 and 80, there were no leſs than three Ejectments brought at Common Law, and three Bills exhibited in the High Court of Chancery, and Proſecution made in every Suit both at Law and Equity: But ſo many Endeavours prov'd unſucceſsful, by the Power of the adverſe Party, and by the ill Management of the Buſineſs on the Plaintiffs ſide. Any Perſon who hath had the leaſt Experience of the Trouble and Expence that attend the Proſecution of Law-Suits, may eaſily gueſs what Share of both this Gentlewoman had in Ten years time; and eſpecially fighting with an Adverſary who was to beat the Plaintiff with her own Weapons.

In the Year 1682, *Thomas Baker* the Younger died; and ever ſince his Widow hath enjoyed the whole Eſtate in right of her *Free-bench.*

bench. The Heir at Law being married ſome Years ago, hath brought this troubleſom Portion to her Husband, who hath now a Suit in Chancery depending for it.

Thus we ſee how one Misfortune produces many. The Murder of the Father, and at the ſame time the loſs of all his Writings, hath proved the Occaſion of this continual Trouble to his Poſterity. And thus we ſee how juſt and faithful a Wife this Gentlewoman has been to her Husband, and how careful and indulgent a Mother ſhe has been to her Daughter.

FINIS.